

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

TWENTIETH DAY'S PROCEEDINGS

**Thirty-first Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, May 26, 2005

The House of Representatives was called to order at 9:00 A.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Shepherd
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth

Durand
Erdey
Fannin
Farrar
Total - 105

McDonald
McVea
Montgomery
Morrell

White
Winston
Wooton
Wright

ABSENT

Total - 0

The Speaker announced that there were 105 members present and a quorum.

Prayer

Prayer was offered by Rev. Ronnie Burke.

Mr. Cory Stewart sang *The Lord's Prayer*.

Pledge of Allegiance

Rep. Jane Smith led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Pinac, the reading of the Journal was dispensed with.

On motion of Rep. Winston, and under a suspension of the rules, the Journal of May 25, 2005, was corrected to reflect her as voting yea on final passage of House Bill No. 870.

On motion of Rep. Kenney, the Journal of May 25, 2005, was adopted.

House and House Concurrent Resolutions

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 141—

BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the continued state funding of the Mississippi River Corridor Initiative (MRCI) on the campus of the University of New Orleans, which assists ports and related industries to succeed in the highly competitive development of international trade along the Mississippi River.

Read by title.

Under the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 142—

BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To create a study commission to consider the feasibility of funding a study on a single-payer health insurance system for the citizens of Louisiana.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

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SENATE CONCURRENT RESOLUTION NO. 58—

BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request that the State Board of Elementary and Secondary Education, the state Department of Education, and the state Superintendent of Education support, promote, and expand the Teacher Advancement Program (TAP).

Read by title.

Under the rules, the above resolution was referred to the Committee on Education.

SENATE CONCURRENT RESOLUTION NO. 70—

BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To direct the Senate and House agriculture, forestry, aquaculture, and rural development committees to meet and function as a joint committee to study and review the operational structure and procedures, including expenditures for management and operation, of the soil and water conservation districts in Louisiana; and to direct the office of soil and water conservation to assist the committee in its study.

Read by title.

Under the rules, the above resolution was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE CONCURRENT RESOLUTION NO. 71—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to direct the United States Army Corps of Engineers, New Orleans District, to cease using Section 10 of the Rivers and Harbors Act to stop sustainable forestry practices in areas that have no impact on actual navigation.

Read by title.

Under the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works.

SENATE CONCURRENT RESOLUTION NO. 76—

BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To create the Surplus Food Purchasing Task Force to study the feasibility of creating a Louisiana agricultural and seafood surplus products purchase program and the creation of a purchasing board to oversee the program; and to require the task force to report its findings, together with any recommendations for legislation, to the legislature.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 11 (Duplicate of House Bill No. 10)—

BY SENATOR THEUNISSEN AND REPRESENTATIVE FRITH

AN ACT

To enact R.S. 33:7574.1, relative to beachfront development districts in Cameron Parish; to provide for the membership of the board

of commissioners of the Beachfront Development District No. Two of Cameron Parish; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Frith, the bill was returned to the calendar.

SENATE BILL NO. 33—

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 33:1236.27, relative to Cameron Parish; to provide for the zoning, land use, and siting of any public or private facility for the disposal of solid waste; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Frith, the bill was returned to the calendar.

SENATE BILL NO. 78—

BY SENATOR ADLEY

AN ACT

To enact R.S. 40:1300.143(3)(a)(xii), relative to the rural hospital preservation act; to provide an additional definition of a rural hospital; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 118—

BY SENATORS BARHAM, CHEEK, CRAVINS, LENTINI, MURRAY AND NEVERS

AN ACT

To amend and reenact R.S. 29:406(A) and (C) and 410(A)(introductory paragraph) and (A)(3), (E)(1)(introductory paragraph), (E)(1)(c) and (d), (E)(2)(a), (E)(3), and (F)(1)(introductory paragraph), and (I), and to enact R.S. 29:410(E)(4), relative to the Military Service Relief Act; to provide with respect to certain rights for employees who are in the uniformed services and called to active duty and who wish to return to positions of employment held prior to active duty service; to provide with respect to notification and accrual and entitlement to vacation leave; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 155—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 46:1408(A) and (B), 1409(A), (B)(introductory paragraph) and (D), 1417, and 1419, relative to multi-year licenses for child care facilities and child placing agencies; to provide for advice and consultation from the child care committees; to provide for the promulgation of applicable rules; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 225—
BY SENATOR AMEDEE

AN ACT

To enact R.S. 32:1253.1, relative to the Louisiana Motor Vehicle Commission; to provide for the jurisdiction of the Louisiana Motor Vehicle Commission; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

SENATE BILL NO. 255—
BY SENATOR MICHOT

AN ACT

To amend and reenact Chapter 6 of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:1251 through 1269, relative to the distribution and sale of motor vehicles; to provide for a comprehensive reorganization of the law relative to the distribution and sale of motor vehicles; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Commerce.

SENATE BILL NO. 270—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 46:978 and 979(A), relative to health care for the uninsured; to provide for authorization for a Section 1115 of the Social Security Act waiver demonstration initiative; to provide for a Section 1115 demonstration program; to provide for expansion of coverage for families below two hundred percent of the federal poverty level; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 157—
BY SENATORS CHAISSON AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 14:98(D)(1)(a), the introductory paragraph of R.S. 14:98(D)(1)(b), (c), and (d) and (E)(1)(a), the introductory paragraph of R.S. 14:98(E)(1)(b), (c), and (d) and (I), relative to operating a vehicle while intoxicated; to provide with respect to the criminal penalties for third, fourth, and subsequent offenses of operating a vehicle while intoxicated; to provide for the court's discretion in suspending a portion of the criminal sentence for third, fourth, and subsequent offenses; to provide for the court's discretion in ordering an offender to substance abuse treatment and home incarceration; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

Rep. LaFleur moved that Senate Bill No. 157 be designated as a duplicate of House Bill No. 53.

Which motion was agreed to.

Motion

On motion of Rep. LaFleur, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 173—
BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 47:306.1 and 337.20, relative to the payment of state and local sales and use taxes by interstate and foreign transportation dealers; to provide for the optional method by which such dealers calculate and pay such taxes; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

Rep. Robideaux moved that Senate Bill No. 173 be designated as a duplicate of House Bill No. 859.

Which motion was agreed to.

Motion

On motion of Rep. Robideaux, the above bill was referred to the Legislative Bureau.

**House and House Concurrent Resolutions
Reported by Committee**

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 22—
BY REPRESENTATIVES JEFFERSON AND BURRELL

A CONCURRENT RESOLUTION

To authorize and direct the Louisiana Department of Public Safety and Corrections to create a system to notify individuals convicted of a felony who have completed their terms of confinement or parole relative to the reinstatement of voter registration.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 118—
BY REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To urge and request the clerks of court and recorders of mortgages to employ computer software to redact the first five digits of social security numbers appearing on any recorded document which is to be made available to the public over the Internet.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 121—
BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To create and provide for the Cameron Parish Economic Development Task Force for the purpose of studying and

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making recommendations relative to economic development in Cameron Parish.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Baylor, the resolution was ordered engrossed and passed to its third reading.

Senate Concurrent Resolutions Reported by Committee

The following Senate Concurrent Resolutions reported by committee were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 26— BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To direct the appropriate state agencies to take action to implement and enforce the law on delivery sales of cigarettes.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the resolution was ordered passed to its third reading.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 7— BY REPRESENTATIVE M. GUILLORY AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H), relative to the civil jurisdiction of the City Court of Eunice; to increase the jurisdictional amount in dispute in the City Court of Eunice; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 76— BY REPRESENTATIVE MARCHAND AN ACT

To amend and reenact R.S. 22:1065.1(A) and (B)(3), relative to criminal bail bonds; to provide for fees on premiums; to provide for Orleans Parish; to provide for distribution of the fees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 76 by Representative Marchand

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:1065.1(A)" and before the comma "," insert "and (B)(3)"

AMENDMENT NO. 2

On page 1, line 3, after "Parish;" and before "and" insert "to provide for distribution of the fees"

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 22:1065.1(A)" and before "hereby" delete "is" and insert in lieu thereof "and (B)(3) are"

AMENDMENT NO. 4

On page 2, line 9, change "five" to "three"

AMENDMENT NO. 5

On page 2, after line 24, insert the following:

"B.

* * *

(3) In Orleans Parish, two dollars of the three dollars collected for each one hundred dollars worth of liability underwritten by the commercial surety on all premium fees collected by the sheriff shall be maintained, supervised, and distributed as provided in R.S. 13:1381.5 and the one additional dollar of the three dollars collected for each one hundred dollars worth of liability underwritten by the commercial surety shall be allocated to the Criminal District Court for the Parish of Orleans."

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 107— BY REPRESENTATIVE FRITH AN ACT

To enact R.S. 33:447.8, relative to the mayor's court in Erath; to authorize an increase in the amount of court costs for the violation of a municipal ordinance; to provide that any increase is conditioned upon the local governing authority authorizing an increase in court costs by ordinance; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 107 by Representative Frith

AMENDMENT NO. 1

On page 1, line 3, after "ordinance;" and before "and" insert "to provide that any increase is conditioned upon the local governing authority authorizing an increase in court costs by ordinance;"

AMENDMENT NO. 2

On page 1, line 8, after "contrary," and before "the" insert "if the local governing authority by ordinance authorizes an increase in court costs for the mayor's court of the town of Erath,"

AMENDMENT NO. 3

On page 1, line 9, change "seventy" to "fifty"

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 133—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 33:2495(B)(1)(a) and 2555(B)(1)(a), relative to the municipal fire and police civil service; to provide relative to the removal of an employee from a position during his working test; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 133 by Representative Cazayoux

AMENDMENT NO. 1

On page 1, line 13, after "employee" and before "who has served" insert a comma "," and "except an entry level fireman and an entry level radio, fire alarm, or signal system operator,"

AMENDMENT NO. 2

On page 2, line 6, after "employee" and before "who has served" insert a comma "," and "except an entry level fireman and an entry level radio, fire alarm, or signal system operator,"

On motion of Rep. Baylor, the amendments were adopted.

On motion of Rep. Baylor, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 135—

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(F) and (I), relative to the jurisdictional limits of the City Court of Slidell; to increase the civil jurisdictional amount in dispute; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 160—

BY REPRESENTATIVE HONEY

AN ACT

To enact R.S. 33:9038, relative to tax increment financing; to prohibit the use of tax increment financing that involves a public school system without prior approval of the system; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 160 by Representative Honey

AMENDMENT NO. 1

On page 1, line 11, after "other" and before "school system," change "public local" to "local public"

On motion of Rep. Baylor, the amendments were adopted.

On motion of Rep. Baylor, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 343—

BY REPRESENTATIVES TOOMY AND MARTINY AND SENATORS JONES AND LENTINI

AN ACT

To enact R.S. 13:48, relative to the salary of judges of the supreme court, courts of appeal, district courts, parish courts, and city courts; to provide for an increase in the salary paid for by the state as recommended by the Judicial Compensation Commission; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 368—

BY REPRESENTATIVE MARCHAND

AN ACT

To amend and reenact R.S. 32:365(B) and to enact R.S. 32:41(E) and R.S. 33:4882, relative to the enforcement of traffic violations in the city of New Orleans; to authorize the use of photographic systems for enforcement of certain traffic regulations in New Orleans; to provide for notification regarding a traffic violation; to provide for penalties for violations; and to provide for related matters.

Read by title.

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Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Baylor, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 480—

BY REPRESENTATIVE ARNOLD

AN ACT

To enact R.S. 47:1925.9, relative to the Board of Assessors for Orleans Parish; to provide for a means of funding for the Board of Assessors for Orleans Parish; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 480 by Representative Arnold

AMENDMENT NO. 1

On page 1, at the beginning of line 13, change "The Board of Assessors" to "The board of assessors"

AMENDMENT NO. 2

On page 1, at the end of line 13, change "thirty-first" to "first"

AMENDMENT NO. 3

On page 1, line 14, after "less than" and before "percent of the municipal" change "one" to "two"

AMENDMENT NO. 4

On page 1, line 16, change "Board" to "board"

AMENDMENT NO. 5

On page 1, at the beginning of line 17, change "Assessors" to "assessors"

AMENDMENT NO. 6

On page 1, line 18, change "Board of Assessors" to "board of assessors"

AMENDMENT NO. 7

On page 1, line 19, change "Board of Assessors" to "board of assessors"

On motion of Rep. Baylor, the amendments were adopted.

On motion of Rep. Baylor, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 598—

BY REPRESENTATIVE LAFONTA

AN ACT

To amend and reenact R.S. 25:738(A), 752, and 760(A), relative to historic preservation; to provide for procedures for approval of applications for certificates of appropriateness for certain new construction in certain districts; to provide for the population of municipalities, parishes, and governmental units to which the law relative to historic preservation districts and historic landmarks commissions applies; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 598 by Representative LaFonta

AMENDMENT NO. 1

On page 3, between lines 19 and 20, insert the following:

"(g) Nothing in this Paragraph shall delay the public hearing to be held by the commission pursuant to this Section."

AMENDMENT NO. 2

On page 6, between lines 2 and 3, insert the following:

"(g) Nothing in this Paragraph shall delay the public hearing to be held by the commission pursuant to this Section."

On motion of Rep. Baylor, the amendments were adopted.

On motion of Rep. Baylor, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 605—

BY REPRESENTATIVES RICHMOND AND K. CARTER

AN ACT

To amend and reenact R.S. 25:746(A), (B)(5) and (6), (C), (D), (E), (G), and (H) and to enact R.S. 25:746(B)(8) through (11), (I), and (J), relative to historic preservation districts and historic preservation commissions; to provide relative to the balancing of historic preservation with economic development, renovation, rehabilitation, and adaptive reuse of historic properties; to provide for appeals of a decision, recommendation, act, or proceeding of a commission, governing body, or other agency with authority in the district; to provide for stays, stop orders, restraining orders, and injunctions and security therefor; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Municipal, Parochial and Cultural Affairs.

The substitute was read by title as follows:

HOUSE BILL NO. 884 (Substitute for House Bill No. 605 by Representative Richmond)—
BY REPRESENTATIVE RICHMOND

AN ACT

To amend and reenact R.S. 25:746(A), (B)(5) and (6), (C), (D)(1), (2), (3), and (5), (E)(1), (2), and (4), (G), and (H) and to enact R.S. 25:746(B)(8) through (11), (I), (J), and (K), relative to historic preservation districts and historic preservation commissions; to provide relative to the balancing of historic preservation with economic development, renovation, rehabilitation, and adaptive reuse of historic properties; to provide for appeals of a decision, recommendation, act, or proceeding of a commission, governing body, or other agency with authority in the district; to provide for stays, stop orders, restraining orders, and injunctions and security therefor; and to provide for related matters.

Read by title.

On motion of Rep. Baylor, the substitute was adopted and became House Bill No. 884 by Rep. Richmond, on behalf of the Committee on Municipal, Parochial and Cultural Affairs, as a substitute for House Bill No. 605 by Rep. Richmond.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 633—
BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 13:782(A)(3), relative to compensation of clerks of district courts; to authorize a percentage increase in the annual compensation of each clerk of a district court; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 633 by Representative Hebert

AMENDMENT NO. 1

On page 1, at the end of line 2 and the beginning of line 3, delete "provide for" and insert in lieu thereof "authorize"

AMENDMENT NO. 2

On page 1, at the beginning of line 12, change "shall" to "may"

AMENDMENT NO. 3

On page 1, at the end of line 12, after "percent" and before the period "," insert "each year on July 1, 2005, and on July 1, 2006"

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 636—
BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 33:225, relative to East Baton Rouge Parish; to provide relative to incorporated areas of the parish; to provide relative

to the maintenance of roads, drainage, and utilities within such areas; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 636 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 12, delete "A."

AMENDMENT NO. 2

On page 1, line 14, after "1950," delete the remainder of the line and delete line 15 in its entirety and insert the following:

"on and after the date the Central Transition District ceases existence, the governing authority of the newly created municipality shall be"

AMENDMENT NO. 3

On page 1, delete lines 19 and 20 in their entirety and on page 2, delete lines 1 and 2 in their entirety

On motion of Rep. Baylor, the amendments were adopted.

On motion of Rep. Baylor, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 640—
BY REPRESENTATIVE LAFONTA
AN ACT

To enact R.S. 47:1997.1, relative to the ad valorem tax in Orleans Parish; to provide for the payment of a fee to be charged to each tax recipient body to defray the cost of collection; to provide for the deposit and use of the proceeds of such fee; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Baylor, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 642—
BY REPRESENTATIVE JEFFERSON
AN ACT

To enact R.S. 15:1229.2, relative to the School Violence Prevention Training Program; to create the program under the jurisdiction of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to provide for the powers and duties of a committee to develop a program for training and certifying school security guards; to provide for funding; to allocate funds to local law enforcement agencies for school crime investigations; to require implementation of the program

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within six months of funding of the program after evaluation of a pilot test of the program; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 642 by Representative Jefferson

AMENDMENT NO. 1

On page 1, line 8, after "program" and before the semicolon ";", insert "after evaluation of a pilot test of the program"

AMENDMENT NO. 2

On page 1, line 19, after "Training," and before "the" insert "the accredited law enforcement training centers."

AMENDMENT NO. 3

On page 2, line 5, after "guards" and before the comma ",", delete "by the office of state police"

AMENDMENT NO. 4

On page 2, at the end of line 7, delete "and" and delete line 8 in its entirety, and insert "at an accredited P.O.S.T. academy."

AMENDMENT NO. 5

On page 2, line 20, after "implement" and before "the" insert "a one-year pilot test of"

AMENDMENT NO. 6

On page 2, line 21, after the period "." add "The commission shall evaluate the results of the pilot test before recommending statewide implementation."

AMENDMENT NO. 7

On page 2, after line 21, add the following:

"F. A "school security guard" shall include any person employed by a school or school board to provide security at a school."

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 711—

BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 40:2533(C) and (D), relative to personnel files of law enforcement officers; to require a complaint involving domestic abuse made against an officer to be expunged from his file; to provide for conditions for expungement; to define applicable ordinances and statutes for which expungement is available; to prohibit the filing of certain untimely complaints in the personnel file of a law enforcement officer; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 711 by Representative Morrell

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 40:2533(C)" and before the comma ",", insert "and (D)"

AMENDMENT NO. 2

On page 1, line 5, after "available;" and before "and" insert "to prohibit the filing of certain untimely complaints in the personnel file of a law enforcement officer;"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 40:2533(C) and before "hereby" delete "is" and insert "and (D) are"

AMENDMENT NO. 4

On page 2, after line 12, insert the following:

"D. No complaint against a law enforcement officer concerning offenses listed in Paragraph (C)(2) shall be entered into the personnel file of a law enforcement officer if the complaint is first lodged more than twelve months after the alleged incident occurred or twelve months after the date of the discovery of the alleged incident."

On motion of Rep. Toomy, the amendments were adopted.

On motion of Rep. Toomy, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 822—

BY REPRESENTATIVE SHEPHERD
AN ACT

To amend and reenact R.S. 27:93(A)(4), relative to the allocation of riverboat boarding fees; to provide for the allocation of riverboat boarding fees in Jefferson Parish; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 822 by Representative Shepherd

AMENDMENT NO. 1

On page 2, delete lines 1 through 3 in their entirety

AMENDMENT NO. 2

On page 2, line 4, change "(c)" to "(b)"

AMENDMENT NO. 3

On page 2, delete lines 7 and 8 in their entirety and insert the following:

"Parish which shall directly allocate two hundred thousand dollars of these monies for and distribute the monies to the Greater New Orleans Service Corporation pursuant to a cooperative endeavor for a public purpose. Notwithstanding any other law or ordinance to the contrary, the remainder of these monies shall be expended by the governing authority according to priorities set by the parish councilmen who represent the unincorporated areas of Jefferson Parish that lie on the Westbank of the Mississippi River."

On motion of Rep. Baylor, the amendments were adopted.

On motion of Rep. Baylor, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 829—

BY REPRESENTATIVE JACKSON

AN ACT

To enact Chapter 10 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:1451 through 1461, and to repeal R.S. 12:202.1(C), to create and provide for the Capital Area Transit System, which is to operate public transportation in East Baton Rouge Parish; to provide for the governing board of the system and its powers and duties; to provide for participation of other parishes in the public transportation system; to repeal the provisions of law relative to the existing public transportation system in East Baton Rouge Parish and to provide that the new entity is the successor of the existing entity; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 829 by Representative Jackson

AMENDMENT NO. 1

On page 1, line 20, after "East Baton Rouge" and before "and surrounding" insert "Parish"

AMENDMENT NO. 2

On page 2, line 24, after "East Baton Rouge" and before "but may be" insert "Parish"

AMENDMENT NO. 3

On page 2, at the end of line 27, after "East Baton Rouge" insert "Parish"

AMENDMENT NO. 4

On page 3, line 10, after "services," and before "the board's" insert "for"

AMENDMENT NO. 5

On page 3, line 20, after "East Baton Rouge" and before "the" at the end of the line delete the comma "," and insert "Parish,"

AMENDMENT NO. 6

On page 5, at the beginning of line 18, change "date of this Act." to "date of this Chapter."

AMENDMENT NO. 7

On page 7, at the end of line 22, after "voting" delete the remainder of the line and at the beginning of line 23, delete "a referendum" and insert in lieu thereof "on the proposition at an election"

AMENDMENT NO. 8

On page 7, line 28, after "state" and before "or from any" change "governments" to "government"

AMENDMENT NO. 9

On page 8, line 26, after "the criteria" and before "shall include" insert "for permit issuance"

AMENDMENT NO. 10

On page 9, line 24, after "for hire" and before "the charges" delete the comma "," and insert "by prearrangement or contract."

AMENDMENT NO. 11

On page 9, at the end of line 24, after "contractual basis" insert a period "." and delete the remainder of the line and delete line 25, in its entirety

AMENDMENT NO. 12

On page 10, line 9, after "voters voting" and before "in each of the parishes" delete "in such election" and insert in lieu thereof "on the proposition"

AMENDMENT NO. 13

On page 10, line 10, after "in the system" and before "Notwithstanding" delete the period "." and insert "at an election held in accordance with the Louisiana Election Code."

AMENDMENT NO. 14

On page 10, at the beginning of line 14, before "within the" delete "thereon" and insert in lieu thereof "on the proposition"

AMENDMENT NO. 15

On page 10, line 14, after "subdivisions" and before "Local" at the end of the line delete the period "." and insert "at an election held in accordance with the Louisiana Election Code."

AMENDMENT NO. 16

On page 10, line 15, after "as defined in" and before "Section" at the end of the line change "Article 6." to "Article VI."

AMENDMENT NO. 17

On page 10, line 25, after "income taxes" and before "by the state" insert "levied"

AMENDMENT NO. 18

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On page 10, at the beginning of line 26, before "by any parish" change "and" to "or"

AMENDMENT NO. 19

On page 10, line 26, after "subdivision of" and before "state" change "this" to "the"

AMENDMENT NO. 20

On page 11, line 15, delete "board of commissioners for the"

AMENDMENT NO. 21

On page 11, delete line 17 in its entirety and insert the following:

"1202.1 and which by such statute is also a political subdivision, and the board of commissioners thereof, which are"

AMENDMENT NO. 22

On page 11, at the beginning of line 18, insert "jointly"

AMENDMENT NO. 23

On page 11, line 18, change "entity"," to "entities","

AMENDMENT NO. 24

On page 11, delete line 19 in its entirety and insert the following:

"Act. The Capital Area Transit System and the board of commissioners thereof, which are hereinafter in this"

AMENDMENT NO. 25

On page 11, delete line 20 in its entirety and insert the following:

"Section jointly referred to as the "system and its board", shall hereby be the successor entities and shall assume the"

AMENDMENT NO. 26

On page 11, line 21, change "entity." to "entities."

AMENDMENT NO. 27

On page 11, line 22, change "entity" to "entities"

AMENDMENT NO. 28

On page 11, line 23, change "be transferred and become the property of the system." to "be transferred to and become the property of the system and its board."

AMENDMENT NO. 29

On page 11, delete line 24 in its entirety and insert the following:

"all employees of the 202.1 entities shall become employees of the system and its board, and the system and its board shall"

AMENDMENT NO. 30

On page 11, line 25, change "entity" to "entities"

AMENDMENT NO. 31

On page 11, line 26, change "entity is" to "entities are"

AMENDMENT NO. 32

On page 12, line 1, after "the system" and before "All contract" delete the period "." and insert "and its board."

AMENDMENT NO. 33

On page 12, line 2, change "entity" to "entities"

AMENDMENT NO. 34

On page 12, at the end of line 2, delete the period "." and insert "and its board."

On motion of Rep. Baylor, the amendments were adopted.

On motion of Rep. Baylor, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 869—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 3:2804(B) and 3004(B), relative to fees paid to law enforcement officials for securing livestock; to provide for increases and additional fees for such service; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 880 (Substitute for House Bill No. 431 by Representative Lancaster)—

BY REPRESENTATIVES LANCASTER, SALTER, ALARIO, DORSEY, GALLOT, AND HAMMETT AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT

AN ACT

To amend and reenact R.S. 44:4.1(B)(35), to enact Chapter 4 of Title V of the Children's Code, to be comprised of Articles 541 through 546, and to repeal Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:1461 through 1464, relative to information concerning children and their families; to provide that agencies providing services to children and their families and city, parish, or other local public school boards are authorized to request the release or exchange of information, data, reports, and records which are relevant and necessary to the performance of their respective duties to children and their families; to provide for procedures relative to the release of such information; to provide for procedures to be utilized when an agency or school board refuses or fails to provide for the release of such information; to require agencies to exercise due diligence in obtaining consent, authorization, waiver, court order, or an order from an administrative law judge to obtain information regarding children and their families; to provide with respect to confidentiality of such information; to provide with respect to immunity from liability; to provide relative to an exception in the public records law; to remove certain provisions specific to juveniles; and to provide for related matters.

Read by title.

On motion of Rep. Lancaster, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 881 (Substitute for House Bill No. 463 by Representative Marchand)—
BY REPRESENTATIVE MARCHAND
AN ACT

To amend R.S. 40:2154(F) and R.S. 46:1408(E)(2), (F) and (G), 1412(G)(2), (H) and (I), and 1454(D) and to enact R.S. 40:2154(G) and (H) and R.S. 46:1408(H) and (I), 1412(K) and (L), and 1454(E) and (F), relative to license and application fees for child care facilities, child placing agencies, transitional youth residences, and adult residential care facilities; to provide for the imposition and collection of fees; and to provide for related matters.

Read by title.

On motion of Rep. Durand, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 882 (Substitute for House Bill No. 566 by Representative R. Carter)—
BY REPRESENTATIVE R. CARTER
AN ACT

To enact R.S. 22:2004.3, relative to health maintenance organizations; to provide with respect to coverage of certain services legally performed by chiropractors; to provide relative to discriminatory terminology; and to provide for related matters.

Read by title.

On motion of Rep. Karen Carter, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 883 (Substitute for House Bill No. 740 by Representative Hebert)—
BY REPRESENTATIVE HEBERT
AN ACT

To enact Chapter 36-B of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2861 through 2870, relative to polysomnographic health professionals; to provide for the recognition of polysomnography as a separate and distinct profession; to provide for licensure and regulation of polysomnographic technologists and technicians; to provide for definitions; to provide for the powers and duties of the Louisiana State Board of Medical Examiners relative to polysomnographic technologists and technicians; to provide for the creation of the Advisory Committee on Polysomnography; to provide for fees, person and practices not affected, and prohibited acts; and to provide for related matters.

Read by title.

On motion of Rep. Durand, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 587—
BY REPRESENTATIVE ODINET
AN ACT

To enact R.S. 56:431.1, relative to oyster leases; to authorize the use of fish excluder devices on oyster leases; to provide for permitting and regulating such devices; and to provide for related matters.

Called from the calendar.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 587 by Representative Odinet

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 56:700.12(4) and (5) and 700.13 (C) and (F) and to"

AMENDMENT NO. 2

On page 1, line 2, after "of" delete the remainder of the line and insert "devices to protect oysters from predation"

AMENDMENT NO. 3

On page 1, line 3, after "devices;" insert "to provide for biological surveys of oyster leases;"

AMENDMENT NO. 4

On page 1, line 6, after "Section 1." insert "R.S. 56:700.12(4) and (5) and 700.13 (C) and (F) are hereby amended and reenacted and"

AMENDMENT NO. 5

On page 1, delete lines 7 through 20 in their entirety and on line 2, delete lines 1 through 9 in their entirety and insert in lieu thereof the following:

"§431.1. Devices to protect oysters from predation; use on leased acreage

A. The Department of Wildlife and Fisheries may permit the use on leased acreage of devices to protect oysters from predation. The permit shall be issued to a leaseholder and shall not be transferrable. Such devices shall be in compliance with all existing state and federal fishing laws and regulations. Notwithstanding any law to the contrary, any device permitted under the provisions of this Section may be transported or used in compliance with the provisions of this Section. The department shall promulgate, in accordance with the Administrative Procedure Act, rules and regulations for such a permit. The rules shall at a minimum specify the following:

(1) That the application for the permit shall be accompanied by an application fee of one hundred dollars and the fee for the permit shall be fifty dollars per acre permitted, not to exceed one thousand dollars.

(2) Materials that may be used for the device.

(3) That the material authorized for such device shall have no openings that exceed one and one-quarter inch bar or two and one-half inches stretched.

(4) That the horizontal profile of the device shall comply with the greater of the U.S. Army Corps of Engineers limitation not to exceed one-tenth of the depth of the water in which the device is used or the Department of Natural Resources' coastal use permit prohibition on raising the waterbottom by more than one-half foot and shall not restrict the free passage of fish or other marine life over the device.

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(5) Requirements for reporting data or other information by the lease holders necessary for the department to monitor the activities under the permit.

(6) Enforcement penalties for permit violations.

B. The area permitted for use of a device to protect oyster from predation shall not exceed ten acres per lease site, and each lease site shall be limited to the use of only one device. The area permitted shall meet the standards set forth by the Department of Health and Hospitals in its oyster regulations. The device must comply with U.S. Coast Guard regulations relative to navigation and markings. Prior to application to the Department of Wildlife and Fisheries for a permit to use a device, the leaseholder shall have obtained all other local, state, and federal permits necessary for such activity, including a coastal use permit.

C. The department may permit the use of devices to protect oysters from predation on no more than one hundred acres east of the Mississippi, no more than one hundred acres between the Mississippi River and Bayou Lafourche, no more than one hundred acres between Bayou Lafourche and the Atchafalaya River, and no more than one hundred acres west of the Atchafalaya River. The permit issued by the Department of Wildlife and Fisheries shall authorize use of a device only during the months of March, April, October, and November. The permit shall require liability insurance to be held by the leaseholder sufficient to cover any damages that might occur as a result of the use of such device.

D. The provisions of this Section shall become null and void and of no effect on January 1, 2011 and no permit shall be issued which would allow use after that date nor shall any device authorized under the provisions of this Section be used after that date."

AMENDMENT NO. 6

On page 2, after line 9, insert in lieu thereof the following:

* * *

§700.12. Damages to oyster leases; mineral activity; settlements and claims

Notwithstanding any other law to the contrary, including but not limited to R.S. 56:423 et seq., the claim of any lessee of oyster beds or grounds who is requested to enter into a settlement for damages which may occur due to an oil and gas activity which proposes to intrude upon the leasehold may be settled in the following manner:

* * *

(4) If the claim is brought before the board, the board owner of the oil and gas activity shall, at its own expense, have a biological survey made of the leased premises to determine the quality and value of the beds and grounds which will be involved in the proposed operation. A biological survey shall be performed before the operations begin and upon completion of the activity. The owner of the oil and gas activity shall donate to the board an amount sufficient to pay the costs of the biological survey. Any funds donated to pay the costs of the biological survey shall be used only for that purpose.

(5) If the claim is brought before the board, the owner of the oil and gas activity shall file the initial biological survey with the board and pay a deposit to the board based on estimated damages as determined by the board after consideration of the results of the biological survey and any other information provided to the board. After payment of the deposit, the owner may proceed with his proposed activity. Upon completion of the activity, at the expense of the owner of the oil and gas activity the board owner of the oil and gas activity, at his own expense, shall have another biological survey

performed and filed with the board so that actual damages to the leasehold may be determined by the board.

* * *

§700.13. Establishment of the board

* * *

C. The board shall develop a list of qualified biologists to provide biological test data in determining the quality, condition, and value of oyster beds and grounds. The secretary, in conjunction with the board, shall develop a list of qualifications for these biologists. If a claim is brought before the board under the provisions of R.S. 56:700.12(4) and a biological survey is needed, the board shall When an owner of an oil and gas activity is required under the provisions of R.S. 56:700.12(4) to perform a biological survey, he shall choose a biologist to conduct the survey from the list of qualified biologists maintained supplied by the board. The secretary, in conjunction with the board, shall adopt rules providing for a regular rotation of the names on this list so that each of the listed qualified biologists is selected on a regular basis.

* * *

F. Notwithstanding the provisions of R.S. 56:424, representatives or assigns of the ~~Oyster Lease Damage Evaluation Board~~ owner of the oil and gas activity may remove, as a sample, oysters from an oyster lease on state water bottoms in order to make determinations in matters before the Oyster Lease Damage Evaluation Board. In order to take such samples, the representatives or assigns of the ~~Oyster Lease Damage Evaluation Board~~ owner of the oil and gas activity shall first submit written notice to the lease holder. If the lease holder has not granted permission within ~~thirty~~ fifteen days after the written request for permission was submitted, the representatives or assigns of the ~~board~~ owner of the oil and gas activity shall notify the lease holder of the date and time that the lease will be surveyed. The lease holder may accompany the biologist during the survey or may authorize another person to accompany the biologist during the survey.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Rep. Pierre moved the adoption of the amendments.

As a substitute motion, Rep. Odinet moved that Amendment Nos. 1, 3, 4, and 6 be rejected, which motion was agreed to.

On motion of Rep. Odinet, Amendment Nos. 2 and 5 were adopted.

On motion of Rep. Odinet, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

Senate Instruments on Second Reading Returned from the Legislative Bureau

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE BILL NO. 21—
BY SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 56:799.4(B)(8), relative to the White Lake Property Advisory Board; to provide relative to board composition and membership; to add a member at large to the board who shall be a resident of Ward 8 of Vermilion Parish and appointed by the governor; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pierre, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 210—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact Sections 1 and 2 of Act No. 233 of the 1984 Regular Session of the Legislature, as amended by Act No. 847 of the 1992 Regular Session of the Legislature, Act No. 1364 of the 1997 Regular Session of the Legislature, and Act No. 1378 of the 1999 Regular Session of the Legislature, relative to the Bohemia Spillway; to provide a procedure for persons claiming an ownership interest in property or minerals located in the Bohemia Spillway; to provide for certification of property and mineral ownership interest and for the return of such property and mineral interest to the certified owner or his successor by the Board of Levee Commissioners of the Orleans Levee District; to provide for payment by the board to the certified owner or his successor for mineral revenues received by the board from such property after June 29, 1984; to provide an exemption to the board of commissioners from certain judgements rendered involving title to properties and claims involving mineral revenues derived from land located in the spillway; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Engrossed Senate Bill No. 210 by Senator Heitmeier

AMENDMENT NO. 1

On page 7, line 7, delete "After the end of the time period for filing claims, there" and insert "There"

AMENDMENT NO. 2

On page 7, line 12, delete "After the end of the time period for filing claims, if" and insert "If"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pierre, the amendments were adopted.

On motion of Rep. Pierre, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 224—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 47:303(D) and R.S. 56:6(21), and 303(D) and (E), and to enact R.S. 34:851.2(12) and 851.37, relative to a system of special certificate agents; to provide for such agents to collect motorboat or sailboat registration certificate fees and to issue registration certificates and decals; to provide for such agents to collect commercial fisherman's license fees and to issue commercial fisherman's licenses; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 224 by Senator Hollis

AMENDMENT NO. 1

On page 5, line 7, following "hours" insert "." and change "and may" to "The license"

On motion of Rep. Pierre, the amendments were adopted.

On motion of Rep. Pierre, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 235—
BY SENATOR ULLO AND REPRESENTATIVES TOOMY AND WOOTON
AN ACT

To enact R.S. 34:851.27(B)(9), relative to regulation of vessels and motorboats; to authorize the regulation of air boats by the governing authority of Jefferson Parish and its municipalities; to provide for terms and conditions; to provide for the enforcement of such regulation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pierre, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 249—
BY SENATORS MOUNT AND THEUNISSEN
AN ACT

To authorize and provide for the transfer of certain immovable property located in Calcasieu Parish from the Chennault International Airport Authority to the Board of Supervisors of Community and Technical Colleges, for the use and benefit of its Sowela Campus, in exchange for forgiveness of a certain debt owed by the authority to the state of Louisiana; to provide for an effective date; and to provide for related matters.

"Payable out of the State General Fund (Direct) to the Museum and Other Operations Program for the relocation of a marble statue from the Shreveport Fairgrounds to the Louisiana State Oil and Gas Museum	\$ 15,000"
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AMENDMENT NO. 2

On page 51, delete lines 2 through 4 in their entirety and insert the following:

"to the Business Development Program for the South Louisiana Economic Development Council for the Center for Economic Growth and Technology \$ 200,000"

AMENDMENT NO. 3

On page 88, line 11, change "100,000" to "85,000"

AMENDMENT NO. 4

On page 101, line 38, change "1,042,117,776" to "1,012,572,660"

AMENDMENT NO. 5

On page 101, line 46, change "173,127,995" to "202,673,111"

AMENDMENT NO. 6

On page 102, between lines 39 and 40, insert the following:

"FOR:
Payments to Private Providers Program for an increase in Medicaid reimbursement rates for Dental EPSDT services \$ 836,120

TOTAL EXPENDITURES \$ 836,120

FROM:
State General Fund (Direct) \$ 250,000
Federal Funds \$ 586,120

TOTAL MEANS OF FINANCING \$ 836,120

FOR:
Uncompensated Care Costs Program for operational expenses of the Louisiana Health Care Services Divisions associated with joint operation of public health clinics \$ 4,170,166

TOTAL EXPENDITURES \$ 4,170,166

FROM:
Federal Funds \$ 4,170,166

TOTAL MEANS OF FINANCING \$ 4,170,166

Provided, however, that this appropriation shall not become effective until a cooperative endeavor agreement is entered into between the Louisiana State University Health Care Services Division and the city of New Orleans for the joint operation of any public health clinic in the city of New Orleans. The Louisiana State University Health Care Services Division may enter into agreements with the city of New Orleans to receive non-state funds as match for the federal portion of Medicaid Uncompensated Care payments appropriated herein and may enter into employment and other agreements as deemed appropriate to jointly operate public health clinics with the city of New Orleans. Any agreement with the city of New Orleans to jointly operate a public health clinic must be approved by the Joint Legislative Committee on the Budget prior to implementation."

AMENDMENT NO. 7

On page 103, between lines 25 and 26, insert the following:

"FOR:

Payments to Uncompensated Care Costs for rural hospitals and rural health clinics \$ 4,634,227

TOTAL EXPENDITURES \$ 4,634,227

FROM:
State General Fund (Direct) \$ 1,400,000
Federal Funds \$ 3,234,227

TOTAL MEANS OF FINANCING \$ 4,634,227

AMENDMENT NO. 8

On page 148, after line 46, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Conservation Fund to the Louisiana Charter Boat Association for printing and distribution of materials promoting Louisiana's charter boat industry \$ 50,000"

AMENDMENT NO. 9

On page 199, line 45, change "1,921,961" to "2,029,712"

AMENDMENT NO. 10

On page 199, line 46, change "1,921,961" to "2,029,712"

AMENDMENT NO. 11

On page 199, line 49, change "1,615,791" to "1,723,542"

AMENDMENT NO. 12

On page 199, line 52, change "1,921,961" to "2,029,712"

AMENDMENT NO. 13

On page 200, line 1, after "of the" and before "in Fees" change "1,921,961" to "2,029,712"

AMENDMENT NO. 14

On page 200, line 10, change "2,949" to "110,700"

AMENDMENT NO. 15

On page 248, line 52, change "4,081,250" to "4,281,250"

AMENDMENT NO. 16

On page 249, line 14, change "4,081,250" to "4,281,250"

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Beard in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 108, after line 53, insert the following:

"Provided, however, that no portion of the appropriations contained herein shall be expended for the purchase or distribution of condoms."

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

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Amendments proposed by Representatives Beard and Scalise in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 124, between lines 37 and 38, insert the following:

"Within the Department of Social Services,
Office of Family Support for the implemen-
tation of the Abortion Alternatives Initiative \$ 500,000"

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representatives Triche and Hunter in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 173, delete lines 18 through 27 in their entirety and insert the following:

"FOR:
General Operational Expenses in the
Louisiana State University System \$ 8,762,585

TOTAL EXPENDITURES \$ 8,762,585

FROM:
State General Fund (Direct) \$ 8,762,585

TOTAL MEANS OF FINANCING \$ 8,762,585

Provided, however, that of the State General Fund (Direct) appropriated herein for General Operational Expenses in the Louisiana State University System, allocations will be made as follows:

Louisiana State University and A&M College	
- Baton Rouge	\$ 2,938,154
Louisiana State University - Alexandria	\$ 122,521
University of New Orleans	\$ 912,418
Louisiana State University Health Sciences Center	
- New Orleans	\$ 1,891,163
Louisiana State University Health Sciences Center	
- Shreveport	\$ 897,301
E.A. Conway Medical Center	\$ 129,137
Louisiana State University - Eunice	\$ 121,444
Louisiana State University - Shreveport	\$ 1,222,689
Paul M. Hebert Law Center	\$ 134,587
Pennington Biomedical Research Center	\$ 177,354

Provided, however, that the State General Fund (Direct) appropriated herein shall be used exclusively to fund merit increases, group insurance, and retirement costs."

AMENDMENT NO. 2

On page 179, between lines 20 and 21, insert the following:

"FOR:
General Operational Expenses in the Southern
University System \$ 1,196,726

TOTAL EXPENDITURES \$ 1,196,726

FROM:
State General Fund (Direct) \$ 1,196,726

TOTAL MEANS OF FINANCING \$ 1,196,726

Provided, however, that of the State General Fund (Direct) appropriated herein for General Operational Expenses in the Southern University System, allocations will be made as follows:

Southern University and A&M College	
- Baton Rouge	\$ 708,127
Southern University Law Center	\$ 93,837
Southern University - New Orleans	\$ 228,008
Southern University - Shreveport	\$ 104,049
Southern University Agricultural Center	\$ 62,705

Provided, however, that the State General Fund (Direct) appropriated herein shall be used exclusively to fund merit increases, group insurance, and retirements costs."

AMENDMENT NO. 3

On page 179, delete lines 21 through 30 in their entirety

AMENDMENT NO. 4

On page 190, between lines 33 and 34, insert the following:

"FOR:
General Operational Expenses in the University of
Louisiana System \$ 4,979,983

TOTAL EXPENDITURES \$ 4,979,983

FROM:
State General Fund (Direct) \$ 4,979,983

TOTAL MEANS OF FINANCE \$ 4,979,983

Provided, however, that of the State General Fund (Direct) appropriated herein for General Operational Expenses in the University of Louisiana System, allocations will be made as follows:

Nicholls State University	\$ 405,166
Grambling State University	\$ 414,885
Louisiana Tech University	\$ 707,553
McNeese State University	\$ 441,934
University of Louisiana - Monroe	\$ 729,853
Northwestern State University	\$ 485,806
Southeastern Louisiana University	\$ 766,962
University of Louisiana - Lafayette	\$ 1,027,824

Provided, however, the State General Fund (Direct) appropriated herein shall be used exclusively to fund merit increases, group insurance, and retirement costs."

AMENDMENT NO. 5

On page 190, delete lines 34 through 43 in their entirety

AMENDMENT NO. 6

On page 201, delete lines 18 through 28 in their entirety and insert the following:

"FOR:
General operational expenses in the Louisiana
Community and Technical College System \$ 2,536,862

TOTAL EXPENDITURES \$ 2,536,862

FROM:
State General Fund (Direct) \$ 2,536,862

On motion of Rep. LaFleur, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

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Rep. Alario moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Hammett	Richmond
Baylor	Hebert	Ritchie
Beard	Hill	Shepherd
Bruce	Honey	Smith, G.
Burrell	Hopkins	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crane	Johns	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Dartez	Kleckley	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	White
Durand	McDonald	Wooton
Fannin	McVea	Wright
Farrar	Montgomery	
Total - 83		

NAYS

Bowler	Katz	Schneider
Bruneau	LaBruzzo	Smiley
Burns	Lambert	Tucker
Cravins	Powell, M.	Walsworth
Crowe	Robideaux	Winston
Erdey	Romero	
Greene	Scalise	
Total - 19		

ABSENT

Daniel	Heaton	Hutter
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On joint motion of Reps. Alexander and Trahan, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

HOUSE BILL NO. 2—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOIE, HEITMEIER, AND MOUNT
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Read by title.

Rep. Hammett sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Hammett and Alario to Reengrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

On page 12, between lines 37 and 38, insert the following:

"(170)	LA Hwy. 1 Overpass, Planning and Construction (Iberville, West Baton Rouge) Payable from General Obligation Bonds	
	Priority 3	\$ 3,000,000
	Priority 4	\$ 5,000,000
	Total	<u>\$ 8,000,000"</u>

AMENDMENT NO. 2

On page 15, delete lines 47 and 48, insert the following:

"Payable from State General Fund (Direct) previously appropriated in Act 2 of 2004 for Pointe Coupee Parish Sheriff's Office for Maintenance and Storage Facilities (Pointe Coupee)	\$ 50,000
Payable from General Obligation Bonds	
Priority 2	\$ 500,000
Total	<u>\$ 550,000"</u>

AMENDMENT NO. 3

On page 19, at the end of line 36, change "\$163,000,000" to "\$163,903,303"

AMENDMENT NO. 4

On page 36, delete lines 32 through 35, and insert the following:

"Priority 2	\$ 1,290,000
Priority 3	\$ 507,000
Priority 4	<u>\$ 508,000"</u>

AMENDMENT NO. 5

On page 40, between lines 10 and 11, insert the following:

"()	Department of Kinesiology and Health Studies Program, Renovation, and Conversion, Planning, Construction and Equipment (Tangipahoa) Payable from General Obligation Bonds	
	Priority 3	\$ 4,000,000
	Priority 4	\$ 3,700,000
	Total	<u>\$ 7,700,000"</u>

AMENDMENT NO. 6

On page 46, delete lines 18 and 19, and insert the following:

- "() Bulkhead, Land Improvements, Bank Stabilization, Navigational Improvements, Dredging, Drainage, Sewerage, Slip for Dry-Dock, and Other Related Infrastructure Improvements, Planning and Construction"

AMENDMENT NO. 7

On page 50, between lines 1 and 2, insert the following:

- "(418) Shreveport Blanchard Road LA 173 Widening and Improvements for Industrial Park, Planning and Construction (Caddo)
Payable from General Obligation Bonds
Priority 2 \$ 200,000"

AMENDMENT NO. 8

On page 50, between lines 33 and 34, insert the following:

- "(422) Calcasieu Parish Police Jury, Allen P. August/Multi-Purpose Center Expansion, Planning and Construction (Calcasieu)
Payable from General Obligation Bonds
Priority 2 \$ 250,000
Priority 5 \$ 500,000
Total \$ 750,000"

AMENDMENT NO. 9

On page 54, delete lines 27 through 31, and insert the following:

"Priority 2	\$ 285,000
Priority 3	\$ 85,000
Priority 4	\$ 85,000
Priority 5	\$ 100,000
Total	<u>\$ 570,000</u>

AMENDMENT NO. 10

On page 58, between lines 25 and 26, insert the following:

- "(674) Coteau Holmes Civic Center, Planning and Construction (St. Martin)
Payable from General Obligation Bonds
Priority 2 \$ 100,000
Priority 5 \$ 120,000
Total \$ 220,000"

AMENDMENT NO. 11

On page 58, delete lines 37 through 39, and insert the following:

"Priority 2	\$ 500,000
Priority 3	\$ 5,600,000
Priority 5	<u>\$ 1,000,000</u>

AMENDMENT NO. 12

On page 63, delete line 31 in its entirety.

AMENDMENT NO. 13

On page 63, at the end of line 35, change "\$375,000" to "\$300,000"

AMENDMENT NO. 14

On page 63, between lines 38 and 39, insert the following:

"Payable from State General Fund (Direct) \$ 75,000"

AMENDMENT NO. 15

On page 63, at the end of line 43, change "\$675,000" to "\$750,000"

AMENDMENT NO. 16

On page 73, between lines 48 and 49, insert the following:

- "() Railroad Avenue Sewer Lift Station, Planning and Construction (Pointe Coupee)
Payable from the balance of State General Fund (Direct) Nonrecurring Revenues previously allocated in Act 2 of 2004 for New Roads for Railroad Avenue Safety Improvements (Pointe Coupee) \$ 50,000
Payable from State General Fund (Direct) previously appropriated in Act 2 of 2004 for Pointe Coupee Parish Sheriff's Office for Maintenance and Storage Facilities (Pointe Coupee) \$ 46,000
Total \$ 96,000

Pending submittal and approval of capital outlay budget request pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 17

On page 75, line 13, change "Priority 5" to "Priority 4"

AMENDMENT NO. 18

On page 86, delete lines 32 and 33, and insert the following:

"Priority 5	\$ 1,900,000
Total	<u>\$ 6,264,000</u>

AMENDMENT NO. 19

On page 88, between lines 23 and 24, insert the following:

"50/NDE POINTE COUPEE HOSPITAL SERVICE DISTRICT #1

- () Building Acquisition for Mental Health Nutrition and Dental Services in Livonia (Pointe Coupee)
Payable from State General Fund (Direct) previously appropriated in Act 2 of 2004 for Pointe Coupee Parish Sheriff's Office for Maintenance and Storage Facilities (Pointe Coupee) \$ 28,000

Pending submittal and approval of capital outlay budget request pursuant to the provisions of R.S. 39:112.

- (1188) Innis Community Health Center/Shelter Upgrade, Planning and Construction (Pointe Coupee)
Payable from State General Fund (Direct) previously appropriated in Act 2 of 2004 for Pointe Coupee Parish Sheriff's Office for Maintenance and Storage Facilities (Pointe

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Coupee) \$ 250,000"

AMENDMENT NO. 20

On page 89, between lines 33 and 34, insert the following:

"50/NF6 ST. MARTIN PARISH SHERIFF OFFICE

() Juvenile Detention Center Parking Lot,
Planning and Construction
(St. Martin)
Payable from General Obligation Bonds
Priority 2 \$ 50,000"

AMENDMENT NO. 21

On page 96, after line 49, insert the following:

"50/N BETTER ACCESS COMMUNITY HEALTH, INC.

() Acquisition of Vehicles for Transportation for
Health Services
(Pointe Coupee)
Payable from State General Fund (Direct)
previously appropriated in Act 2 of 2004 for
Pointe Coupee Parish Sheriff's Office for
Maintenance and Storage Facilities (Pointe
Coupee) \$ 40,000

Pending submittal and approval of capital outlay budget request
pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 22

On page 102, line 30, after "Acquisition" and the period "." and
before "Notwithstanding" insert the following:

"Notwithstanding anything contained in this Act to the contrary or
any other provision of law, the scope of the appropriation made in
Capital Outlay Act 24 of the 2003 Regular Session of the Legislature
for Westwego for Concession Stand Catfish Bourgeois Park project
shall be deemed to be changed to Catfish Bourgeois Park and Louis
Marrero Park Repairs and Improvements."

On motion of Rep. Hammett, the amendments were adopted.

Rep. Hammett moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinot
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Heaton	Scalise
Bowler	Hebert	Schneider
Bruce	Hill	Shepherd
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th

Carter, R.
Cazayoux
Crane
Cravins
Crowe
Curtis
Damico
Daniel
Dartez
DeWitt
Doerge
Dorsey
Dove
Downs
Durand
Erdey
Fannin
Farrar

Total - 103

Jackson
Jefferson
Johns
Katz
Kennard
Kenney
Kleckley
LaFleur
LaFonta
Lambert
Lancaster
Marchand
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish

Smith, J.R.—30th
St. Germain
Strain
Thompson
Toomy
Townsend
Trahan
Triche
Tucker
Waddell
Walker
Walsworth
White
Winston
Wooton
Wright

NAYS

Romero
Total - 1

ABSENT

LaBruzzo
Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett moved to reconsider the vote by which the above
bill was finally passed, and, on his own motion, the motion to
reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Curtis, and under a suspension of the rules,
the above roll call was corrected to reflect him as voting yea.

HOUSE BILL NO. 3—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND DORSEY
AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT
AN ACT

To enact the Omnibus Bond Authorization Act of 2005, relative to
the implementation of a five-year capital improvement program;
to provide for the repeal of certain prior bond authorizations;
to provide for new bond authorizations; to provide for
authorization and sale of such bonds by the State Bond
Commission; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Hammett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinot
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire

Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Hebert	Romero
Bowler	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kennard	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaBruzzo	Trahan
Daniel	LaFleur	Triche
Dartez	LaFonta	Tucker
DeWitt	Lambert	Waddell
Doerge	Lancaster	Walker
Dorsey	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Durand	McVea	Wooton
Erdey	Montgomery	Wright
Fannin	Morrell	
Farrar	Morrish	
Total - 103		

NAYS

Total - 0

ABSENT

Heaton
Total - 2 Shepherd

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 842—
BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2004-2005 Fiscal Year; and to provide for related matters.

Suspension of the Rules

On motion of Rep. Alario, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

Rep. Alario sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Bill No. 842 by Representative Alario

AMENDMENT NO. 1

On page 1, line 5, after "Year;" insert "to establish certain special treasury funds;"

AMENDMENT NO. 2

On page 2, line 18, after "Business" change "Development" to "Services"

AMENDMENT NO. 3

On page 2, between lines 32 and 33, insert:

"Provided, however, that the commissioner of administration is hereby authorized and directed to adjust the means of financing for the Business Services Program in this agency, as contained in Act 1 of the 2004 Regular Session of the Legislature, by reducing the appropriation out of the State General Fund (Direct) for the Good Manufacturing Practices (GMP) Facility by \$400,000."

AMENDMENT NO. 4

On page 4, delete lines 32 and 33 in their entirety and insert:

"\$49,632,581, and by Interagency Transfers by \$30,151,998."

AMENDMENT NO. 5

On page 10, delete line 7 in its entirety and insert:

"Provided, however, that of the monies appropriated from the State General Fund (Direct) for this agency for Fiscal Year 2004-2005, the amount of \$78,536 may be expended"

AMENDMENT NO. 6

On page 10, at the end of line 11, delete "\$78,536"

AMENDMENT NO. 7

On page 11, at the end of line 22, change "\$183,003,981" to "\$212,549,097"

AMENDMENT NO. 8

On page 11, at the end of line 23, change "\$183,003,981" to "\$212,549,097"

AMENDMENT NO. 9

On page 11, at the end of line 25, delete "\$182,041,842" to "211,586,958"

AMENDMENT NO. 10

On page 11, at the end of line 39, change "183,003,981" to "\$212,549,097"

AMENDMENT NO. 11

On page 13, line 23, after "Year" and before "to" change "2005-2006" to "2004-2005"

AMENDMENT NO. 12

On page 13, at the beginning of line 28, change "D." to "D.(1)"

AMENDMENT NO. 13

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On page 13, line 29, after "Year" and before "to" change "2005-2006" to "2004-2005"

AMENDMENT NO. 14

On page 13, between lines 32 and 33, insert:

"D.(2) The sum of Twenty-five Thousand Seven Hundred Fifty and No/100 (\$25,750.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgments in favor of Mary K. Brocato and Shelter Mutual Insurance Company in the suit entitled "Mary K. Brocato, wife of and Robert M. Brocato, D.D.S. v. O.S. Johnson, Inc., formally O.S. Johnson Dirt Contractor, Inc., State of Louisiana through the Department of Transportation and Development and Lexington Insurance Company and RCS Contractors, Inc.", bearing Number 483,844, on the docket of the Nineteenth District Court, Parish of East Baton Rouge."

AMENDMENT NO. 15

On page 13, at the end of line 34 and at the beginning of line 35, change "2005-2006" to "2004-2005"

AMENDMENT NO. 16

On page 13, at the beginning of line 39, change "F." to "F.(1)"

AMENDMENT NO. 17

On page 13, between lines 44 and 45, insert:

"F.(2) The sum of Four Thousand Two Hundred Fifty and No/100 (\$4,250.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2004-2005 to be used to pay the consent judgment in the suit entitled "Tommy J. Delatte v. State of Louisiana, through the Department of Transportation and Development" consolidated with "Regina White, et al v. Clarendon National Insurance Company, et al", bearing Numbers 9800135 and 9800159 respectively, on the docket of the Twenty-first Judicial District Court, Parish of Tangipahoa."

AMENDMENT NO. 18

On page 17, at the beginning of line 20, after "Year" change "2005-2006" to "2004-2005"

AMENDMENT NO. 19

On page 18, between lines 43 and 44, insert:

"Provided, however, that funds appropriated herein are used solely for capital and infrastructure improvements subject to verification of the Division of Administration, Office of Facility Planning and Control. Further, provided, that the State General Fund (Direct) appropriated herein shall be deposited in the Louisiana Economic Development Fund and is hereby appropriated out of that fund for the Economic Development Awards Program."

AMENDMENT NO. 20

On page 18, after line 48 insert:

"19-600 Louisiana State University Board of Supervisors

For distribution to the state public hospitals under the supervision of the Louisiana State University Board of Supervisors, to be used for equipment needs of the state's public hospitals Payable from the State General Fund (Direct)

\$12,000,000"

AMENDMENT NO. 21

On page 19, delete lines 6 through 12 in their entirety

On motion of Rep. Alario, the amendments were adopted.

Rep. Alario moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Geymann	Pitre
Ansardi	Glover	Powell, M.
Arnold	Gray	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, E.	Richmond
Barrow	Guillory, M.	Ritchie
Baudoin	Hammett	Robideaux
Baylor	Heaton	Romero
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Bruce	Honey	Shepherd
Bruneau	Hunter	Smiley
Burns	Hutter	Smith, G.
Burrell	Jefferson	Smith, J.D.-50th
Carter, K.	Johns	Smith, J.H.-8th
Crane	Katz	Smith, J.R.-30th
Crowe	Kennard	St. Germain
Curtis	Kenney	Strain
Damico	Kleckley	Thompson
Daniel	LaBruzzo	Toomy
Dartez	LaFonta	Townsend
DeWitt	Lancaster	Triche
Doerge	Marchand	Tucker
Dorsey	Martiny	Waddell
Dove	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	White
Erdey	Morrell	Winston
Fannin	Morrish	Wooton
Farrar	Odinot	Wright
Total - 96		

NAYS

Total - 0

ABSENT

Carter, R.	Faucheux	LaFleur
Cazayoux	Hopkins	Lambert
Cravins	Jackson	Trahan
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Explanation of Vote

Rep. Robert Carter disclosed a possible conflict of interest and recused himself from casting his vote on the final passage of the above bill.

Explanation of Vote

Rep. Lambert disclosed a possible conflict of interest and recused himself from casting his vote on the final passage of the above bill.

HOUSE BILL NO. 461—

BY REPRESENTATIVES ALARIO AND TRICHE
AN ACT

To enact R.S. 39:1496.1(E)(3)(c) and to repeal R.S. 17:2008, relative to certain state funds; to provide for the transfer of certain monies to the Louisiana Medical Assistance Trust Fund; to establish the Energy Performance Contracting Fund as a special fund in the state treasury; to repeal the Vocational-Technical Enterprise Fund; to provide an effective date; and to provide for related matters.

Suspension of the Rules

On motion of Rep. Alario, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

Rep. Alario sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Bill No. 461 by Representative Alario

AMENDMENT NO. 1

On page 3, after line 29, insert the following:

"Section 9. Notwithstanding any provision of law to the contrary and specifically notwithstanding the provisions of R.S. 30:136.3, the state treasurer is authorized and directed to transfer One Million and No/100 (\$1,000,000.00) Dollars of the unexpended and unencumbered balance in the Mineral Resources Operation Fund at the end of Fiscal Year 2004-2005 to the Louisiana Medical Assistance Trust Fund, to be used in Fiscal Year 2005-2006 for the Medical Vendor Payment Program."

AMENDMENT NO. 2

On page 4, line 1, change "Section 9." to "Section 10."

On motion of Rep. Alario, the amendments were adopted.

Rep. Alario moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Pierre
Alario	Frith	Pinac
Alexander	Gallot	Pitre
Ansardi	Geymann	Powell, M.
Arnold	Glover	Powell, T.
Badon	Gray	Quezaire
Baldone	Greene	Richmond

Barrow
Baudoin
Baylor
Beard
Bowler
Bruce
Bruneau
Burns
Burrell
Carter, K.
Carter, R.
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
DeWitt
Doerge
Dorsey
Dove
Downs
Durand
Erdey
Fannin
Farrar

Total - 101

Guillory, E.
Guillory, M.
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hunter
Hutter
Jefferson
Johns
Katz
Kennard
Kenney
Kleckley
LaFleur
LaFonta
Lambert
Lancaster
Marchand
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish

Ritchie
Robideaux
Romero
Scalise
Schneider
Shepherd
Smiley
Smith, G.
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
St. Germain
Strain
Thompson
Toomy
Townsend
Trahan
Triche
Tucker
Waddell
Walker
Walsworth
White
Winston
Wooton
Wright

NAYS

Total - 0

ABSENT

Cravins
Jackson
Total - 4

LaBruzzo
Odinet

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 836—

BY REPRESENTATIVES ALARIO, CAZAYOUX, DEWITT, GALLOT, LAFLEUR, SALTER, TOWNSEND, AND TRICHE AND SENATORS CHAISSON, HINES, LENTINI, AND MARIONNEAUX

AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Suspension of the Rules

On motion of Rep. Alario, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

Rep. Alario sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Bill No. 836 by Representative Alario

AMENDMENT NO. 1

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On page 1, line 6, after "Hundred" delete the remainder of the line and delete line 7 in its entirety, and insert:

"Twenty-three Million Ninety-three Thousand Seven Hundred Ninety-five (\$123,093,795) Dollars, or so much"

AMENDMENT NO. 2

On page 6, line 46, change "7,590,160" to "7,712,591"

AMENDMENT NO. 3

On page 7, line 4, change "34,321,292" to "34,443,723"

On motion of Rep. Alario, the amendments were adopted.

Rep. Alario moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Gallot	Pinac
Alexander	Geymann	Pitre
Ansardi	Glover	Powell, M.
Arnold	Gray	Powell, T.
Badon	Greene	Quezaire
Baldone	Guillory, E.	Richmond
Barrow	Guillory, M.	Ritchie
Baudoin	Hammett	Robideaux
Baylor	Heaton	Romero
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Bruce	Honey	Shepherd
Bruneau	Hopkins	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jefferson	Smith, J.H.—8th
Carter, R.	Johns	Smith, J.R.—30th
Cazayoux	Kennard	St. Germain
Crane	Kenney	Strain
Crowe	Kleckley	Thompson
Curtis	LaFleur	Toomy
Damico	LaFonta	Townsend
Daniel	Lambert	Trahan
Dartez	Lancaster	Triche
Doerge	Marchand	Tucker
Dorsey	Martiny	Waddell
Dove	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	White
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Odinet	Wright
Total - 99		

NAYS

Total - 0

ABSENT

Cravins	Erdey	Katz
DeWitt	Jackson	LaBruzzo
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Bruneau gave notice of his intention to call House Bill No. 80 from the calendar for future action.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Barrow gave notice of her intention to call House Bill No. 644 from the calendar for future action.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 26, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 137
Returned without amendments

House Concurrent Resolution No. 139
Returned without amendments

House Concurrent Resolution No. 140
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 26, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 266 and 334

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Jane Smith, the rules were suspended in order to take up the bills contained in the message at this time.

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 266— BY SENATOR JONES

AN ACT

To amend and reenact R.S. 51:1037 and to enact R.S. 51:1032(A)(8) and Part IV of Chapter 4-B of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1045.1 through 1045.3, relative to poverty; to provide legislative findings; to provide for annual reports on the Strategic Plan to Combat Poverty; to provide for the coordination and implementation of the recommendations of the Governor's Summit on Solutions to Poverty; and to provide for related matters.

Read by title.

SENATE BILL NO. 334— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 33:1236(30)(b)(i), (iii), (iv) and (vi) and 4876, relative to the powers of local governing authorities; to provide with respect to authorization of the St. Tammany Parish governing authority to require and compel property owners to remove trash, debris, junk, wrecked or used automobiles or motor vehicles, or other discarded items being stored or kept on property; to provide for an effective date; and to provide for related matters.

Read by title.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

May 26, 2005

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill No. 130

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 64— BY REPRESENTATIVE DORSEY

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Eva Legard of Baton Rouge.

Read by title.

On motion of Rep. Dorsey, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 65— BY REPRESENTATIVE WALSWORTH

A RESOLUTION

To commend the Choudrant Aggies for their hard work and remarkable effort to bring home the 2005 Class B championship title in baseball.

Read by title.

On motion of Rep. Walsworth, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 143— BY REPRESENTATIVE BRUNEAU

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of former 4th Circuit Court of Appeal Chief Judge William V. Redmann and to recognize his outstanding contributions to the city of New Orleans and the state of Louisiana.

Read by title.

On motion of Rep. Bruneau, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 144— BY REPRESENTATIVE MARCHAND

A CONCURRENT RESOLUTION

To recognize June 1, 2005, as Alpha Day at the Legislature of Louisiana and to commend the Alpha Kappa Alpha Sorority, Incorporated and the Alpha Phi Alpha Fraternity, Incorporated for their service.

Read by title.

On motion of Rep. Marchand, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 145— BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect stop signs along Louisiana Highway 983, also known as Bueche Road, at its intersection with Louisiana Highway 620, also known as Section Road, in West Baton Rouge Parish to create a four-way stop at this intersection.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 146— BY REPRESENTATIVE M. GUILLORY AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, office of motor vehicles and office of state police to petition the Federal Motor Carrier Safety Administration for

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an exemption from the federal regulations regarding the issuance of restricted commercial drivers' licenses for aerial applicators.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 147— BY REPRESENTATIVE BURNS

A CONCURRENT RESOLUTION

To urge and request the Department of Labor to allow for the creation and development of e-learning programs for activities allowed under the Incumbent Worker Training Program.

Read by title.

Lies over under the rules.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 564—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 4:732(B), (E)(2) and (5), and (G) and to repeal R.S. 4:732(F), relative to progressive bingo; to increase the mega jackpot for a progressive bingo game; to remove requirement that jackpot cap be reached before contributions can be made to the backup or second progressive jackpot; to increase the amount per game participating organizations may contribute per game if the progressive jackpot cap is raised; to remove population restrictions on parishes which can participate in progressive mega jackpot games; to repeal provision of law requiring progressive mega jackpot games and progressive jackpot games be mutually exclusive; and to provide for related matters.

Called from the calendar.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 564 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "(E)(2)" change "R.S. 4:732(B)," to "R.S. 4:732(A)(2), (B),"

AMENDMENT NO. 2

On page 1, line 2, after "(G)" and before "and to" insert a comma "," and add "to enact R.S. 4:724(I)"

AMENDMENT NO. 3

On page 1, line 3, after "relative to" and before "to increase" delete "progressive bingo" and insert "the Charitable Raffles, Bingo and Keno Licensing Law;"

AMENDMENT NO. 4

On page 1, line 9, after "exclusive;" and before "and" insert "to provide with respect to the authority of local governments to restrict or prohibit electronic video bingo;"

AMENDMENT NO. 5

On page 1, line 12, after "Section 1." and before "(E)(2)" change "R.S. 4:732(B)," to "R.S. 4:732(A)(2), (B),"

AMENDMENT NO. 6

On page 1, at the end of line 12, insert "and R.S. 4:724(I) is hereby enacted"

AMENDMENT NO. 7

On page 1, between lines 13 and 14 insert the following:

"§724. Use of electronic or video bingo games

* * *

I. Nothing in this Section shall be construed to restrict the authority of local governments to restrict or prohibit the conducting of electronic video bingo.

* * *"

AMENDMENT NO. 8

On page 1, between lines 14 and 15 insert the following:

"A. Notwithstanding any provision of law to the contrary, the governing authority of any parish or municipality may permit any charitable licensed organization to conduct progressive mega jackpot bingo games. For the purpose of conducting a progressive bingo game, such organizations shall:

* * *

(2) Deposit a predetermined amount of money not to exceed ~~one~~ two hundred dollars per organization into a special account before each licensed call bingo gaming session. Every ~~one~~ two-hundred-dollar contribution shall constitute part of the total amount of prizes awarded during that session."

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

Privileged Report of the Legislative Bureau

May 26, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 75
Reported without amendments.

Senate Bill No. 95
Reported without amendments.

Senate Bill No. 139
Reported without amendments.

Senate Bill No. 153
Reported without amendments.

Respectfully submitted,
CHARLES MCDONALD
Chairman

Privileged Report of the Committee on Enrollment

May 26, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 52—

BY REPRESENTATIVE BADON
A RESOLUTION

To commend Brenda M. Badon upon her retirement after forty years of teaching in Orleans Parish.

HOUSE RESOLUTION NO. 53—

BY REPRESENTATIVE TOWNSEND
A RESOLUTION

To commend Mr. and Mrs. James Conde on the occasion of their fiftieth wedding anniversary.

HOUSE RESOLUTION NO. 54—

BY REPRESENTATIVE SCHNEIDER
A RESOLUTION

To commend May-Eliane de Lencquesaing upon the celebration of her eightieth birthday.

HOUSE RESOLUTION NO. 55—

BY REPRESENTATIVE SCHNEIDER
A RESOLUTION

To commend Monsieur and Madame Nerino Bernard upon the celebration of their fiftieth wedding anniversary on July 30, 2005.

HOUSE RESOLUTION NO. 56—

BY REPRESENTATIVE SCALISE
A RESOLUTION

To recognize Wednesday, May 25, 2005, as Pachyderm Day at the Louisiana House of Representatives.

HOUSE RESOLUTION NO. 57—

BY REPRESENTATIVE PINAC
A RESOLUTION

To commend and congratulate Roy J. Geesey for being named by the Crowley Chamber of Commerce as the Outstanding Business Person of the Year for 2004-2005.

HOUSE RESOLUTION NO. 58—

BY REPRESENTATIVE PINAC
A RESOLUTION

To commend and congratulate David Mire as being recognized by the Crowley Chamber of Commerce as an Outstanding Young Citizen for 2005.

HOUSE RESOLUTION NO. 59—

BY REPRESENTATIVE PINAC
A RESOLUTION

To commend and congratulate Russ Freeland for being recognized by the Crowley Chamber of Commerce as an Outstanding Young Citizen for 2005.

HOUSE RESOLUTION NO. 60—

BY REPRESENTATIVE PINAC
A RESOLUTION

To commend and congratulate Anna Brooke Trahan as being recognized by the Crowley Chamber of Commerce as an Outstanding Young Citizen for 2005.

HOUSE RESOLUTION NO. 61—

BY REPRESENTATIVE PINAC
A RESOLUTION

To commend and congratulate Donald Gautreaux as the recipient of the Crowley Chamber of Commerce "Humanitarian of the Year" Award.

HOUSE RESOLUTION NO. 62—

BY REPRESENTATIVE MCVEA
A RESOLUTION

To commend Jamie Johnell Roddy upon being crowned the 2005 Woodmen of the World Sausage Festival Pageant Teen Queen I at the Acadian Village in Lafayette, Louisiana.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

May 26, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 7—

BY REPRESENTATIVE BRUCE
A CONCURRENT RESOLUTION

To urge and request the Judicial Council of the Supreme Court of Louisiana to study the feasibility of dividing the Eleventh Judicial District Court into two separate districts to be comprised of DeSoto Parish and Sabine Parish and to submit to the appropriate standing committee of the House of Representatives and the Senate its recommendations on or before October 1, 2006.

HOUSE CONCURRENT RESOLUTION NO. 31—

BY REPRESENTATIVES JANE SMITH AND MONTGOMERY AND SENATOR ADLEY
A CONCURRENT RESOLUTION

To authorize and direct the Department of Public Safety and Corrections, office of motor vehicles, to inform applicants for issuance and renewal of Louisiana drivers' licenses of the anatomical gift donor and living will designations on the reverse side of the license.

HOUSE CONCURRENT RESOLUTION NO. 56—

BY REPRESENTATIVE HILL AND SENATOR HINES

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate a portion of Louisiana Highway 10 in Oakdale, Louisiana, as the "Dr. George B. Mowad Memorial Highway" and to erect proper signage along this route reflecting this designation.

HOUSE CONCURRENT RESOLUTION NO. 65—

BY REPRESENTATIVE JACK SMITH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Railroad Avenue and US Highway 90 in Patterson, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 115—

BY REPRESENTATIVE GLOVER AND SENATORS CHEEK AND MALONE

A CONCURRENT RESOLUTION

To commend the Evangel Christian Academy football team upon winning the 2004 Class 5A Louisiana State Football Championship and to recognize the outstanding performance and dedication exhibited by the players, coaches, and staff.

HOUSE CONCURRENT RESOLUTION NO. 116—

BY REPRESENTATIVE DOERGE

A CONCURRENT RESOLUTION

To commend Specialist Russell "Kyle" Burleson upon his receipt of the Purple Heart and express appreciation for his service and sacrifice for his country.

HOUSE CONCURRENT RESOLUTION NO. 117—

BY REPRESENTATIVES JACK SMITH, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, McDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to amend the United States Code to authorize state governors to proclaim that the United States flag shall be flown at half-staff upon the death of a member of the United States armed forces from their respective states who died on active duty.

HOUSE CONCURRENT RESOLUTION NO. 120—

BY REPRESENTATIVE LAFLEUR AND SENATOR HINES

A CONCURRENT RESOLUTION

To commend the Pine Prairie High School softball team upon winning the Class 2A State Softball Championship.

HOUSE CONCURRENT RESOLUTION NO. 123—

BY REPRESENTATIVES HUNTER, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HONEY, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, RICHMOND, AND SHEPHERD AND SENATORS BAJOE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, AND MURRAY

A CONCURRENT RESOLUTION

To urge and request African American churches, congregations, and ministers to partner with the Louisiana Municipal Black Caucus Association for the purpose of alleviating political, social, and community problems.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

May 26, 2005

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

HOUSE BILL NO. 9—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 14:223.9, relative to crimes against property; to create the crime of unlawful operation of an audiovisual recording device; to provide for penalties; to provide for definitions; to provide for immunity from civil actions under certain circumstances; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 12—

BY REPRESENTATIVES JANE SMITH AND M. POWELL

AN ACT

To enact R.S. 39:1214(C) and (D), relative to invitations to bid for a fiscal agency; to provide that the term of contracts for a fiscal agency with the clerk of court of Bossier Parish may not exceed the term of the clerk; to provide that the term of contracts for a fiscal agency with the clerk of court of Caddo Parish may not exceed the term of the clerk; and to provide for related matters.

HOUSE BILL NO. 13—

BY REPRESENTATIVES MARTINY AND SCALISE

AN ACT

To amend and reenact R.S. 14:223.3(1) and (3), relative to penalties for unauthorized sound reproductions; to reduce the threshold number of phonorecords or counterfeit labels involved for imposition of penalties for violations of the crimes of sound reproductions without consent, recording performances without consent, rental or sale of improperly labeled articles, and counterfeiting or possessing counterfeit labels; and to provide for related matters.

HOUSE BILL NO. 55—

BY REPRESENTATIVE KLECKLEY AND SENATOR MOUNT

AN ACT

To amend and reenact R.S. 40:969(C), relative to violations of possession of Schedule IV controlled dangerous substances; to provide that a violation requires a person to knowingly and intentionally possess the controlled substance; and to provide for related matters.

HOUSE BILL NO. 64—

BY REPRESENTATIVE DOERGE AND SENATOR ADLEY

AN ACT

To amend and reenact R.S. 25:151(B)(1) and (C) and to enact R.S. 25:151(B)(3), relative to the Webster Parish Library; to provide relative to the disposition of surplus library books; to authorize the library, subject to the approval of its governing board, to sell such books; to provide relative to the disposition of proceeds

collected from such sales; to provide relative to the location of such sales; and to provide for related matters.

HOUSE BILL NO. 83—

BY REPRESENTATIVE KLECKLEY AND SENATORS CAIN AND MOUNT

AN ACT

To enact R.S. 13:2079.1, relative to the office of the Ward Three marshal of the city court of Lake Charles; to provide for the uses of fees and costs collected in civil matters; to authorize the deposit of these fees and costs into a separate account; to authorize payment of a supplemental salary for deputy marshals from the salary of the marshal; to authorize payment for office expenses and other expenses useful to the conduct of the office; and to provide for related matters.

HOUSE BILL NO. 189—

BY REPRESENTATIVES E. GUILLORY AND MORRISH AND SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 27:93(A)(6), relative to fees levied on riverboats in Calcasieu Parish; to provide relative to the levying of admission fees; to authorize the local governing authority in Calcasieu Parish where riverboats are berthed to levy a fee based on monthly net gaming proceeds in lieu of admission fees; to provide for the allocation of funds derived from fees levied by the local governing authority; to authorize contracts for payment of a minimum annual fee and payments of additional amounts; to provide for cooperative endeavor agreements; to provide for legislative intent; and to provide for related matters.

HOUSE BILL NO. 227 (Duplicate Senate Bill No. 99)—

BY REPRESENTATIVE CRAVINS AND SENATOR CRAVINS

AN ACT

To enact R.S. 33:1448(P), relative to group insurance premiums; to provide for the payment of insurance premiums for certain retired sheriffs and retired deputy sheriffs in St. Landry Parish; and to provide for related matters.

HOUSE BILL NO. 364—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 25:215(B)(15), relative to the Concordia Parish Library; to transfer the administration of and accounting functions for funds of the library from the Concordia Parish Police Jury to the Concordia Parish Library Board of Control; to provide relative to the responsibilities of the police jury with respect to the library; and to provide for related matters.

HOUSE BILL NO. 396—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 25:380.52(C)(2), relative to the Louisiana Delta Music Museum; to increase the membership of the governing board of the museum; and to provide for related matters.

HOUSE BILL NO. 541—

BY REPRESENTATIVE DARTEZ AND SENATOR MURRAY

AN ACT

To amend and reenact R.S. 9:1515(A), relative to the employer's payment of deceased employees' last wages to the surviving spouse or children of the deceased; to delete the limitation on the amount paid by the employer; to provide for an effective date; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Suspension of the Rules

On motion of Rep. Durand, the rules were suspended to permit the Committee on Health and Welfare to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 272

Adjournment

On motion of Rep. Kenney, at 4:00 P.M., the House agreed to adjourn until Tuesday, May 31, 2005, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Tuesday, May 31, 2005.

ALFRED W. SPEER

Clerk of the House

Committee Meeting Notices

Committee on Education

Will meet at: 1:00 P.M. Date: May 31, 2005

Location: Committee Room 1

HB 476 JACKSON, M. STUDENT/SCH ATTENDANCE Provides relative to the age at which children enter public school

HB 591 SMITH, JANE SCHOOLS/DISTRICTS Creates a school district for the supervision of certain alternative schools by the state Dept. of Education

HB 797 BEARD FUNDS/FUNDING Creates the Louisiana Film Institute

HB 651 CARTER, K. EDUCATION Requires persons attending certain schools to provide documentation relative to health insurance status annually and provides for release of such information to public health insurance programs that cover children

HB 723 CARTER, K. SCHOOLS/BOARDS Provides relative to the powers, duties, and responsibilities of local school boards and superintendents when a city, parish, or other local public school system is academically in crisis

HCR 131 BEARD STUDENT/SCH ATTENDANCE Recognizes the inalienable right of parents to provide for the education of their children

SB 19 THEUNISSEN TOPS Limits to specified courses the required math or science elective for college-bound students who graduate from high school during or after the 2007-2008 school year to receive an award.

SB 39 THEUNISSEN LEGIS POWERS/FUNCTIONS Provides for the membership and powers of the La. Commission on Civic Education. (gov sig)

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- SB 236 ULLO SCHOOLS** Provides for certification of out-of-state principals coming into Louisiana with certain credentials.
- SB 239 ULLO SCHOOLS** Authorizes charter schools to participate in the LA 4 program.
- SB 144 NEVERS TEACHERS** Revises Teach Louisiana First program to limit the applicability of the program to reduce the shortage of certified teachers in low performing schools in core subjects. (gov sig)
- SB 119 JACKSON, L POSTSECONDARY ED** Establishes the components of the La. State University Health Sciences Center at Shreveport. (7/1/05)
- SB 62 DUPLESSIS PUBLIC BUILDINGS/GROUNDS** Names the school of social work at Southern University the Dean Millie M. Charles School of Social Work.

CARL CRANE
Chairman

Committee on Health and Welfare

Will meet at: 1:00 P.M. Date: May 31, 2005

Location: Committee Room 5

- HCR 87 TUCKER MEDICAID** Requests the Department of Health and Hospitals to study the feasibility of placing a cap, equivalent to the average annual cost of a private ICF/MR, on the NOW waiver
- HB 242 CROWE ABORTION** Provides for mandatory professional counseling in all cases when an abortion is sought
- HB 734 GUILLORY, M. ELDERLY** Requires federal criminal history checks and elder abuse training for nonlicensed persons and licensed ambulance personnel
- HB 774 JACKSON, M. HEALTH CARE/RECORDS** Creates the Health Care Consumer's Right to Know Act
- SCR 19 BAJOE SOCIAL SERVICES DEPT** Requests that DHH study the possibility of including fresh fruits, vegetables, and cut herbs as approved items to be purchased through the WIC program.
- SCR 20 BROOME SOCIAL SERVICES DEPT** Requests the Department of Social Services to study the impact of the state's sliding fee scale on the availability, affordability, and the quality of child care services funded by the Child Care and Development Fund.
- SCR 41 BAJOE HEALTH/HOSPITALS DEPT** Directs the Department of Health and Hospitals to develop a plan for consolidation of programs and services for the elderly and persons with adult onset disabilities.
- SB 92 NEVERS CHILDREN** Provides relative to the purposes of the office of community services of the Department of Social Services. (gov sig)
- SB 149 BAJOE MEDICAID** Provides certain patients receiving Medicaid to receive kidney disease evaluations and those who are at risk to be tracked regarding appropriate diagnostic testing and provides strategies to increase the rate of evaluation and treatment.

- SB 189 BROOME HEALTH SERVICES** Provides for disclosure by those who provide information or recommend food, dietary supplements and homeopathic remedies.

- SB 190 BROOME HEALTH/HOSPITALS DEPT** Revises the law concerning citizens with developmental disabilities. (gov sig)

- SB 237 ULLO SOCIAL SERVICES DEPT** Authorizes Dept. of Social Services to enter into certain contingency fee contracts pursuant to the provisions of the Randolph-Sheppard Act.

- SB 271 MCPHERSON HEALTH/HOSPITALS DEPT** Establishes the direct care worker registry. (gov sig)

- SB 272 MCPHERSON (TBA) NURSING HOMES** Revises moratorium on nursing home licenses and allows Department of Health and Hospitals to promulgate applicable rules. (Subject to rule suspension)

SYDNIE MAE DURAND
Chairman

Committee on Insurance

Will meet at: 2:00 P.M. Date: May 31, 2005

Location: Committee Room 3

- HB 36 FARRAR INSURANCE/HEALTH** Requires coverage of colorectal cancer screening
- HB 69 TUCKER INSURANCE/AUTOMOBILE** Provides for discount for automobile liability insurance for active military personnel paid by a reduction of the premium taxes
- HB 533 ROBIDEAUX INSURANCE/HEALTH** Provides with respect to billing by health care providers contracted with health insurance issuers
- HB 584 CARTER, K. INSURANCE/HEALTH** Provides relative to prompt payment of health insurance claims

KAREN CARTER
Chair

Weekly Committee Schedules

The following committees posted weekly committee schedules as follows:

Committee on Judiciary

Thursday, June 2, 2005
Committee Room No. 1
10:00 A.M.

INSTRUMENTS TO BE HEARD:

- HCR 138 SMITH, GARY MILITARY AFFAIRS** Memorializes congress to make permanent the increases in Servicemembers' Group Life Insurance coverage and Death Gratuity benefits

HB 455 DORSEY ALCOHOLIC BEVERAGES Requires the labeling of frozen drink dispensing devices to show the trademarked alcohol brands

HB 754 HEBERT ALCOHOLIC BEVERAGES To redefine "package house", to provide for suitability for an alcoholic beverage permit, and to repeal provisions pertaining to pool and billiards playing by minors

SB 35 BARHAM LAW ENFORCEMENT Permits the retention of post-certified qualifications for five years after end of peace officer service. (gov sig)

SB 118 BARHAM MILITARY AFFAIRS Provides with respect to certain rights for employees who are in the uniformed services and called to active duty.

SB 162 HEITMEIER COMMERCIAL REGULATIONS Prohibits price gouging during a named tropical storm or hurricane.

JOSEPH F. TOOMY
Chairman

Committee on Labor and Industrial Relations

Thursday, June 2, 2005
Committee Room No. 5
9:30 A.M.

INSTRUMENTS TO BE HEARD:

SB 57 DUPLESSIS EMPLOYMENT Requires employers to inform new employees of the federal Earned Income Tax Credit at the time of hire. (gov sig)

SB 158 DARDENNE CHILDREN Provides for employment contracts by minors to provide artistic or creative services.

WILLIE HUNTER, JR.
Chairman

Committee on Municipal, Parochial and Cultural Affairs

Thursday, June 2, 2005
Committee Room No. 6
9:00 A.M.

INSTRUMENTS TO BE HEARD:

HB 154 PITRE MUNICIPAL/ORDINANCES Prohibits certain municipalities from enacting ordinances forbidding fishermen or their employees from selling or peddling fish in public places in the municipality

HB 359 JACKSON, M. ECONOMIC DEVEL/COMMUNITY Provides that all types of commercial development may be eligible for tax exemptions and incentives within certain areas of East Baton Rouge Parish and requires hearings and involvement with local groups and associations by the city-parish council prior to approval of contracts by the State Board of Commerce and Industry

HB 481 ARNOLD ASSESSORS Creates funding for the Board of Assessors for Orleans Parish

HB 681 ARNOLD MUNICIPALITIES Repeals provisions authorizing municipalities to levy taxes on motor vehicles

HB 826 ERDEY TAX/LOCAL Authorizes the Livingston Parish governing authority to levy a documentary transaction tax or immovable property transaction fee

HB 770 BARROW DISTRICTS/ECONOMIC DEVEL Authorizes creation of local and regional economic development districts

SB 45 DUPRE PARISHES Includes Terrebonne Parish assessor within the definition of "equivalent" officer for the purposes of certain actions by parishes and municipalities relative to liens for removal and securing of dangerous structures. (gov sig)

SB 79 DUPRE VETERANS Creates board of commissioners to serve as governing authority of Veterans' Memorial District of Ward 10 of Lafourche Parish.

SB 83 GAUTREAUX, N. SPECIAL DISTRICTS Creates the public housing rehabilitation program for low income and refurbished housing for the parishes of Acadia, Vermilion, St. Landry and Lafayette. (gov sig)

SB 90 NEVERS SPECIAL DISTRICTS Creates the Tangipahoa Parish Economic Development District. (gov sig)

SB 97 CRAVINS MUNICIPALITIES Provides with respect to municipal annexations in St. Landry Parish. (gov sig)

SB 313 MARIONNEAUX ECONOMIC DEVELOPMENT Establishes the East Feliciana Parish Economic Development District. (gov sig)

SB 327 JONES LOCAL AGENCIES Authorizes an increase in per diem for the Madison Parish Hospital Service District Board of Commissioners. (gov sig)

SB 330 GAUTREAUX, N. MUNICIPALITIES Provides for disciplinary action by the chief of police in Carencro. (gov sig)

SB 332 GAUTREAUX, N. SPECIAL DISTRICTS Increases the membership of the board of commissioners of the Southeast Waterworks District No. 2 of Vermilion Parish.

SB 348 CRAVINS SPECIAL DISTRICTS Creates the Opelousas Downtown Development District. (gov sig)

**Approval of Minutes: 2004 First Extraordinary Session Minutes
2004 Regular Session Minutes**

ERNEST BAYLOR, JR.
Chairman

Committee on Retirement

Thursday, June 2, 2005
Committee Room No. 4
9:30 A.M.

INSTRUMENTS TO BE HEARD:

HB 380 ARNOLD RETIREMENT/STATE SYSTEMS Continues requirement that state retirement systems direct ten percent of trades through broker-dealers located in the state and ten percent through those incorporated and domiciled in the state

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HB 457 DURAND RETIREMENT/STATE EMPS Increases the employee contributions of adult probation and parole officers and provides for a higher accrual rate for certain such officers

HB 478 HEATON RETIREMENT/JUDGES - CT OFF Provides for cost-of-living adjustments for judges and surviving spouses of judges who did not opt to become members of the retirement system

HB 682 GEYMANN RETIREMENT/STATEWIDE SYS Relative to contributions for the Municipal Employees' Retirement System (MERS), the Municipal Police Employees' Retirement System (MPERS), and the Firefighters' Retirement System (FRS)

HCR 81 CROWE SOCIAL SECURITY SYS Requests congress to support no increases in payroll taxes, no cuts to Social Security benefits, and optional Social Security Personal Retirement Accounts

MATTHEW P. SCHNEIDER III
Chairman

LEGISLATIVE INSTRUMENTS MAY BE DELETED (DOES NOT REQUIRE HOUSE RULES SUSPENSION) OR ADDED (REQUIRES HOUSE RULES SUSPENSION) PRIOR TO THE MEETING DATE. (HOUSE RULES 14.23 AND 14.24) SEE THE DAILY NOTICE OF COMMITTEE MEETINGS POSTED PRIOR TO MEETING DATE.